



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Addendum to Lodi Boys and Girls Club, Inc. Lease - Amending Lease Area

MEETING DATE: August 7, 1996

SUBMITTED BY: Randy Hays, City Attorney

RECOMMENDED ACTION: Approve the Lease Addendum in order to provide a corrected description.

BACKGROUND INFORMATION: In December of 1993, the City concluded that it would be advantageous to lease property to the Lodi Boys and Girls Club. A lease was prepared and entered into which purports to lease to the Lodi Boys and Girls Club the southeast corner of Blakely Park. The lease went on further to say that the leasehold area was approximately 29,000 square feet.

In processing the recent consent to assignment of the lease which assisted the Lodi Boys and Girls Club in their financing efforts, it was discovered that the real property actually utilized for their facilities is much closer to 44,700 square feet. The lease addendum has been prepared to appropriately modify the lease in order to have an accurate description contained within the lease file.

FUNDING: None.


RANDY A. HAYS, City Attorney

APPROVED: _____


H. D. FLYNN
City Manager

LEASE ADDENDUM

This lease addendum, entered into this 7th day of August, 1996, by and between the City of Lodi, a municipal corporation ("City") and the Lodi Boys and Girls Club, Inc., a California Non-profit Corporation ("Club") shall be as follows:

Whereas, the City and Club entered into an unrecorded lease of City owned land on December 15, 1993 to allow for the construction and operation of a recreational facility by Club on said land; and

Whereas, the lease provides that the leasehold area constitutes approximately twenty-nine thousand (29,000) square feet (more or less) located in the southeast corner of City property commonly known as Blakely Park; and

Whereas, a review of the facilities as constructed discloses the utilization of a larger area of real property dedicated to the programs provided by the Club for the benefit of Lodi youth.

Now, Therefore, Be It Agreed as Follows:

Numbered paragraph 1 of the lease of December 15, 1993 is amended to read as follows:

1. Demised Premises.

The premises demised hereunder shall constitute approximately forty-four thousand six hundred seventy-eight (44,678) square feet located in the southeast corner of City property commonly known as Blakely Park, more particularly described in Exhibit A attached hereto and incorporated herein by reference as if fully set forth.

This addendum only modifies the specified paragraph. All the provisions are unchanged and remain in full force and effect.

In Witness Whereof, the parties hereto have set their hands the day and year first hereinabove mentioned.

CITY OF LODI, a Municipal Corporation

LODI BOYS & GIRLS CLUB, INC., a
California Non-Profit Corporation

H. DIXON FLYNN
City Manager




RICHARD J. JONES
President, CEO

Attest:

APPROVED AS TO FORM:

JENNIFER M. PERRIN
City Clerk



RANDALL A. HAYS
City Attorney

Exhibit A

That certain real property situated in the State of California, County of San Joaquin, City of Lodi, described as follows:

A portion of the southeast 1/4 of Section 12, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the southeast corner of Lot 50 of the Lodi Barnhart Tract according to the Official Map of the said Tract filed for Record November 5, 1906 in Book of Maps and Plats, Vol. 3, Page 48, San Joaquin County Records; thence running westerly along the south line of said lot, 275.00 feet; thence northerly and parallel with the easterly line of said lot, 202.00 feet; thence running easterly and parallel with the south line of said lot, 275.00 feet to a point in the east line of said lot; thence south along the east line of said lot, 202.00 feet to the point of beginning.

Save and except the southerly 20 feet lying in Poplar Street and the easterly 30 feet lying in Washington Avenue and containing 44,678 square feet, more or less.